Hearing Set on

MOB PROBERS

Chandler Subpoena

CALL MOUTON

Former state revenue collector Ashton Mouton, one of the key figures named by Life Magazine in its article alleging Mafia influence in Louisiana government, and three other state officials have been called to testify Tuesday before the legislative committee investigating organized crime.

The committee still faces legal barriers, however, in its effort to question David L. Chandler, principal author of the Life article.

Also scheduled to testify Tuesday when the probe resumes are public works director C. H. "Sammy" Downs; highway director Leon Gary; and revenue department attorney Emmett Batson.

A three-judge federal panel today set a trial August 31 on Chandler's attack on the committee's constitutionality. In the meantime the court ruled Chandler must give a deposition to the committee's attorneys under strict safeguards agreed upon in advance.

The committee sent out letters of invitation to the four officials. It has adopted a policy of inviting state officials and subpoenaing other persons.

The hearing is expected to last at least through Wednesday and perhaps Thursday.

MOUTON, WHO WAS transferred to the post of state hospital director by Gov. John J.

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McKeithen to quell public criticism, is expected to be the star witness.

He had denied Life's allegations that his department gave special treatment to Jefferson Parish rackets figure Carlos Marcello and his associates.

The committee plans to go full speed ahead with its work now that the legislative session is over.

THE THREE-JUDGE panel in New Orleans today heard an hour and a half of arguments between Chandler attorney Cicero C. Sessions and John V. Parker, attorney for the legislative committee, before it issued its ruling.

The panel is composed of Judge John Minor Wisdom of the Fifth Circuit Court of Appeals and District Judges Lansing L. Mitchell and Fred J. Cassibry. Judge Wisdom announced today's ruling.

The order requires attorneys for both sides to agree

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Chandler

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on the guidelines under which Chandler should give his deposition. The guidelines are to be submitted to Judge Mitchell for approval.

Chandler has resisted testifying before the committee on grounds that he fears it intends to charge him with perjury. He has also refused to reveal his news sources.

The order stipulates that the deposition may be given in New Orleans rather than in Baton Rouge and continues in effect a temporary restraining order preventing the committee from subpoenaing him to testify.

In today's arguments, Parker said the committee wanted to ask Chandler the name of an unidentified state police officer mentioned in the article.

Judge Mitchell remarked: "If you're depending on Chandler to convict everybody, you may as well forget it and disband the committee."

Judge Wisdom said the court already has told the committee that Chandler must not be required to give names of informers.

Attorneys for both sides agreed that the truth or falsity of the Life article would not be an issue, and Parker said sources of information would not be asked except where pertinent to Chandler's suit.

Parker said he has an affidavit showing that Chandler was sworn in Dec. 28, 1967, as a special officer of the Louisiana State Police and argued that this was an issue pertinent to the question of extending the restraining order.

SESSIONS SAID CHANDLER was not a professional police officer but that Life agreed in 1967 to let him be sworn in as one if he were given protection against charges made against him by District Attorney Jim Garrison.

He said Chandler now needs federal court protection against McKeithen because the governor has called him an "unmitigated liar" and threatened personally to file perjury charges against him.

Parker said the committee simply wants information that would be helpful in investigating Mafia influences so the state "can rectify these conditions."

Sessions said he will have 22 witnesses at the Aug. 31 hearing.